



Assembly Bill 1103

Nonresidential Building Energy Use Disclosure Program

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Welcome!



Our goal is to help you make
successful transactions!



Agenda

- The Statute
- Compliance Instructions
- Primary Resources
- Questions and Answers



AB1103 – The Statute

Utilities

- Provide aggregated energy use data on request from building owners to their ENERGY STAR Portfolio Accounts.

Building Owners

- Provide the AB 1103 Disclosure Report via ENERGY STAR Portfolio Manager for qualifying transactions.






Compliance Instructions











- [AB 1103 Compliance Infographic](#)

**NONRESIDENTIAL BUILDING
ENERGY USE DISCLOSURE PROGRAM**

A building owner or operator is required to benchmark and disclose a building's energy use IF THE ANSWER IS "YES" TO THE FOLLOWING:



- 1. TRIGGERING TRANSACTIONS**
Is your ENTIRE non-residential building offered for sale, lease, finance or refinancing?
- 2. BUILDING SIZES**
Does your building meet the size and compliance schedule?
 **10,000 sq ft** or larger January 1st 2014 **OR**  **5,000 sq ft** or larger July 1st 2014
- 3. OCCUPANCY TYPES**
Is your building classified as one of the following occupancy types?

 Assembly (A)	 Business (B)	 Education (E)	 Institutional - Assisted Living (I-A, I-2)	 Factory/Industry (F) <small>(exempt)</small>
 Merchandise - Retail (M)	 Residential - Transient (R-1) Hotels/Motels	 Storage (S)	 Utility - Parking Garage (U)	 Residential (R) <small>(exempt)</small>

DID YOU ANSWER "YES" TO ALL 3 QUESTIONS?

HOW TO BENCHMARK AND DISCLOSE

- Go to ENERGY STAR Portfolio Manager® website and sign-up to create a new account at <https://portfolioenergymanager.com>
- Contact your utility to confirm their procedures for providing the energy use data.
- Benchmark the building's energy use via Portfolio Manager® at least 30 days prior to a transaction.
- Produce a DATA VERIFICATION CHECKLIST report in Portfolio Manager.
- Disclose the Data Verification Checklist to a prospective buyer, lessee or lender at least 24 hours prior to a signature agreement.
- Submit the Data Verification Checklist to the Energy Commission at ab1103report@energy.ca.gov within 30 days of producing the report.

About the program: www.energy.ca.gov/ab1103 Contact us: ab1103@energy.ca.gov



Exempt Building Types

- Factory and Industrial (**F-1, F-2**)
- High Hazard (**H-1, H-2, H-3, H-4, H-5**)
- Institutional (**I-3, I-4**)
- Residential (**R-2, R-2.1, R-3, R-3.1, R-4**)
- Laboratory (**L**)



**What should I do if I can't get
all the data required for my
disclosure?**



Missing Data Protocols

“If there is information missing from a disclosure, and if the owner has made a reasonable effort to ascertain the missing information, the owner may then use an approximation of the information, provided that the approximation is identified as such, is reasonable, is based on the best information available to the owner, and is not used for the purpose of circumventing or evading this article.”

Section 1684(e)



Available Training

- CEC LA Workshop Dec. 18th
- ENERGY STAR Portfolio Manager
- Southern California Edison
- Pacific Gas and Electric
- San Diego Gas & Electric



Statewide Outreach and Education

Promoting Compliance Participation

- <http://www.energy.ca.gov/ab1103>
 - Frequently Asked Questions
 - Infographic and Fact Sheet
 - Sign up for AB 1103 listserv
- ab1103@energy.ca.gov
- Hotline 916-654-5106



Questions and Answers